

Approved:

Justin V. Rodriguez
Assistant United States Attorney

ORIGINAL

DOC #

Before: THE HONORABLE SARAH NETBURN
United States Magistrate Judge
Southern District of New York

17 MAG 9406

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	:	
UNITED STATES OF AMERICA	:	17 Mag.
	:	
- v. -	:	RULE 5(c)(3)
	:	AFFIDAVIT
	:	
ZACHARY JORDAN ALAM,	:	
	:	
Defendant.	:	
	:	
-----	:	

SOUTHERN DISTRICT OF NEW YORK, ss:

JAMAL BROWN, being duly sworn, deposes and says that he is a Deputy United States Marshal with the United States Marshals Service ("USMS"), and charges as follows:

On or about May 10, 2017, a grand jury for the Superior Court of the District of Columbia returned a six-count indictment charging "Zachary Alam" with receiving stolen property, unauthorized use of a vehicle, fleeing a law enforcement officer, reckless driving, leaving a collision, and driving without a permit. A copy of the indictment (the "Indictment") is attached hereto as Exhibit A, and is incorporated by reference herein. On or about May 23, 2017, the Honorable Danya A. Dayson, Chief Judge of the Superior Court of the District of Columbia, signed a bench warrant authorizing the arrest of "Zachary J Alam" for Failure to Appear for Felony Arraignment. A copy of the bench warrant is attached hereto as Exhibit B (the "Bench Warrant") and is incorporated by reference herein.

I believe that ZACHARY JORDAN ALAM, the defendant, who was taken into custody on December 20, 2017, at approximately 12:30pm in the Southern District of New York, is the same

individual as "Zachary J Alam," for whom the Bench Warrant issued.

The bases for my knowledge and for the foregoing charge are, in part, as follows:

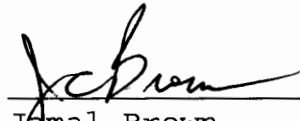
1. I am a Deputy United States Marshal with the USMS. I have been personally involved in determining whether ZACHARY JORDAN ALAM, the defendant, is the same individual as the "Zachary J Alam " named in the May 23, 2017 Bench Warrant from the Superior Court of the District of Columbia. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

2. Based on my review of documents from proceedings in the Superior Court of the District of Columbia, I know that, on or about May 23, 2017, the Superior Court of the District of Columbia issued the Bench Warrant. The Bench Warrant was issued after "Zachary J Alam" failed to appear for felony arraignment on the Indictment, which alleges, in sum and substance, that "Zachary Alam," committed the offenses of receiving stolen property, unauthorized use of a vehicle, fleeing a law enforcement officer, reckless driving, leaving a collision, and driving without a permit, in violation of the D.C. Code.

3. On December 20, 2017, at approximately 12:30pm, ZACHARY JORDAN ALAM, the defendant, was released from Riker's Island Correctional Facility into the custody of the USMS, pursuant to the Bench Warrant. Upon his release in the custody of the USMS, ALAM answered to the name "Zachary Alam."


4. I have reviewed photographs of the "Zachary J Alam" named in the May 23, 2017 Bench Warrant provided by the USMS in Washington, D.C. Based on my review of those photographs and my personal observation of ZACHARY JORDAN ALAM, the defendant, ALAM appears to be the person in those pictures. That is, ALAM appears to be the "Zachary Alam" named in the May 23, 2017 Bench Warrant.

WHEREFORE, I respectfully request that ZACHARY JORDAN ALAM, the defendant, be imprisoned or bailed as the case may be.



Jamal Brown
Deputy United States Marshal
United States Marshals Service

Sworn to before me this
20th day of December, 2017.



THE HONORABLE SARAH NETBURN
United States Magistrate Judge
Southern District of New York

EXHIBIT A

SUPERIOR COURT
OF THE
DISTRICT OF COLUMBIA

FILED
DC SUPERIOR COURT
CLERK OF COURT
2017 MAY 10 PM 4:18

Holding a Criminal Term

Grand Jury Sworn in on May 3, 2017

THE UNITED STATES OF AMERICA

Criminal No: 2017 CF2 000578

v.

ZACHARY ALAM
PDID: 711-178

Violations:

22 D.C. Code, Sections 3232(a), 3232(c)(1),
23 D.C. Code, Section 1328 (a)(1);
22 D.C. Code, Section 3215, 23 D.C. Code,
Section 1328 (a)(1);
50 D.C. Code, Section 2201.05b (b) (2), 23
D.C. Code, Section 1328 (a)(1);
50 D.C. Code, Section 2201.04;
50 D.C. Code, Section 2201.05c (a)(2);
50 D.C. Code, Section 1401.01(d) (2001 ed.)

(Receiving Stolen Property, Offenses
Committed During Release; Unauthorized
Use of a Vehicle, Offenses Committed During
Release; Fleeing a Law Enforcement Officer,
Offenses Committed During Release;
Reckless Driving; Leaving After Colliding -
Property Damage/Injury to Animal; No Permit)

The Grand Jury charges:

FIRST COUNT:

On or about January 11, 2017, within the District of Columbia, Zachary Alam bought, received, possessed, and obtained control of property of a value of \$1000 or more, belonging to David Macko, consisting of a motor vehicle, which had been stolen, knowing and having reason to believe it was stolen, with the intent to defraud and to deprive David Macko of a right to and benefit of the property. (Receiving Stolen Property, in violation of 22 D.C. Code, Sections 3232(a), 3232(c)(1) (2001 ed.))

The Grand Jury Further Charges that at the time the crime set forth in this Count was committed, Zachary Alam, was on release pursuant to the provisions of Title 23 of the District of Columbia Code in Superior Court Case Number 2016 CMD 19280. (Offenses Committed During Release, in violation of 23 D.C. Code, Section 1328 (a)(1) (2001 ed.))

(Receiving Stolen Property, Offenses Committed During Release, in violation of 22 D.C. Code, Sections 3232(a), 3232(c)(1), 23 D.C. Code, Section 1328 (a)(1) (2001 ed.))

SECOND COUNT:

On or about January 11, 2017, within the District of Columbia, Zachary Alam, feloniously did take, use and operate a motor vehicle, property of David Macko, and did take, use and operate that motor vehicle for his own purpose, without the consent of David Macko, the owner of that motor vehicle. (Unauthorized Use of a Vehicle, in violation of 22 D.C. Code, Section 3215 (2001 ed.))

The Grand Jury Further Charges that at the time the crime set forth in this Count was committed, Zachary Alam, was on release pursuant to the provisions of Title 23 of the District of Columbia Code in Superior Court Case Number 2016 CMD 19280. (Offenses Committed During Release, in violation of 23 D.C. Code, Section 1328 (a)(1) (2001 ed.))

(Unauthorized Use of a Vehicle, Offenses Committed During Release, in violation of 22 D.C. Code, Section 3215, 23 D.C. Code, Section 1328 (a)(1) (2001 ed.))

THIRD COUNT:

On or about January 11, 2017, within the District of Columbia, Zachary Alam, while operating a motor vehicle, did knowingly fail and refuse to bring that motor vehicle to an immediate stop, and did attempt to elude a law enforcement officer, following a law enforcement officer's signal to bring the motor vehicle to a stop and operated the motor vehicle in a manner that would constitute reckless driving. (Fleeing a Law Enforcement Officer, in violation of 50 D.C. Code, Section 2201.05b (b) (2) (2001 ed.))

The Grand Jury Further Charges that at the time the crime set forth in this Count was committed, Zachary Alam, was on release pursuant to the provisions of Title 23 of the District of Columbia Code in Superior Court Case Number 2016 CMD 19280. (Offenses Committed During Release, in violation of 23 D.C. Code, Section 1328 (a)(1) (2001 ed.))

(Fleeing a Law Enforcement Officer, Offenses Committed During Release, in violation of 50 D.C. Code, Section 2201.05b (b) (2), 23 D.C. Code, Section 1328 (a)(1) (2001 ed.))

FOURTH COUNT:


On or about January 11, 2017, within the District of Columbia, Zachary Alam, did operate a motor vehicle upon a highway carelessly and heedlessly in willful and wanton disregard of the rights and safety of others and without the caution and circumspection and at a speed and a manner so as to endanger and be likely to endanger persons and property. (Reckless Driving, in violation of 50 D.C. Code, Section 2201.04 (2001 ed.))

FIFTH COUNT:

On or about January 11, 2017, within the District of Columbia, Zachary Alam, operated a vehicle and knowing and having reason to believe that this vehicle had been in a collision, did damage the property of another and did fail to immediately stop and provide identifying information to the owner or operator of the property. (Leaving After Colliding - Property Damage/Injury to Animal, in violation of 50 D.C. Code, Section 2201.05c (a)(2) (2001 ed.))

SIXTH COUNT:

On or about January 11, 2017, within the District of Columbia, Zachary Alam, did operate a motor vehicle without having first obtained a permit to do so. (No Permit, in violation of 50 D.C. Code, Section 1401.01(d) (2001 ed.))


CHANNING D. PHILLIPS
United States Attorney
in and for the District of Columbia

A TRUE BILL:


Deputy Foreperson

EXHIBIT B



**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION**

UNITED STATES OF AMERICA

CRIMINAL NO. 2017 CF2 000578

VS.

ISSUED BY: DANYA A DAYSON

ZACHARY J ALAM

BENCH WARRANT

May be served at any place within the jurisdiction of the United States

Unless Specified Otherwise Below

TO: The United States Marshal for the Superior Court of America or any other authorized federal officer or the Chief of Police for the District of Columbia.

GREETINGS; YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before this Court or other Court enumerated in 18 U.S.C. 3041 to answer to the charge(s) listed below.

() YOU ARE FURTHER COMMANDED to execute this warrant FORTHWITH.

**BASIS FOR WARRANT AND DESCRIPTION OF CHARGES: Failure to Appear for Felony Arraignment
Receiving Stolen Property \$1000 or More, Flee Law Enforcement Officer Offenses Committed During Release,
Reckless Driving, Leaving After Colliding Property Damage/Injury to Animal, No Permit, Unauthorized Use of A
Vehicle**

SPECIAL TERRITORIAL LIMITS ON EXECUTION OF WARRANT-THIS SECTION VALID ONLY IF COMPLETED

Extraterritorial Service of this Warrant is limited to:

WITNESS, the Honorable Chief Judge of the Superior Court of the District of Columbia under the seal of said Court on this date 5/23/2017.

BAIL FIXED BY THE COURT

AT: NO BOND

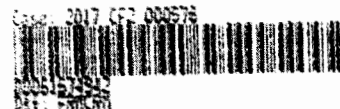
Superior Court of the District of Columbia

BY:

Judge

Date Received: **Return:** This warrant was received and executed with the arrest of the above named person.

Date Executed: **Signature of Arresting Officer**



CD:BW